

Docket No.: 21302/0205263-US0
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Letters Patent of:
Joongseo Park

Patent No.: 7,547,909

Issued: June 16, 2009

For: III-NITRIDE COMPOUND
SEMICONDUCTOR LIGHT EMITTING
DEVICE

REQUEST FOR CERTIFICATE OF CORRECTION
PURSUANT TO 37 CFR 1.322

Attention: Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

Upon reviewing the above-identified patent, Patentee noted a typographical error which should be corrected.

The International filing date and the National Stage completion date is incorrectly listed. The Examiner's attention is drawn to the attached Decision on Petition under 37 CFR 1.181, which granted the correction of the International filing date and the completion date of all 35 U.S.C. 371 requirements of 05 August 2006.

Patentee also noted that the title of the subject application is incorrect. For the convenience of the Examiner, Patentee encloses a copy of the Declaration as filed, as well as the Filing Receipt, evidencing the correct title.

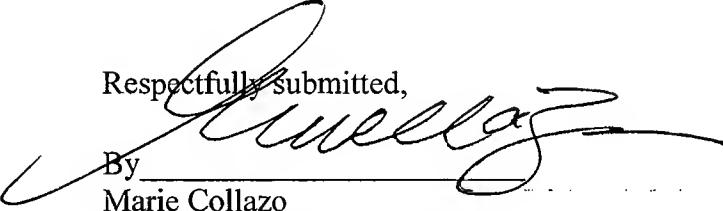
ERRONEOUS INFORMATION	CORRECT INFORMATION
III-NITRIDE COMPOUND ICE SEMICONDUCTOR LIGHT EMITTING DEV	III-NITRIDE COMPOUND SEMICONDUCTOR LIGHT EMITTING DEVICE

Transmitted herewith is a proposed Certificate of Correction effecting such corrections. Patentee respectfully solicits the granting of the requested Certificate of Correction.

The errors were not in the application as filed by applicant; accordingly no fee is required.

Dated: August 6, 2009

Respectfully submitted,

By 

Marie Collazo

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**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

Page 1 of 1

PATENT NO. : 7,547,909
APPLICATION NO. : 10/597,607
ISSUE DATE : June 16, 2009
INVENTOR(S) : Joongseo Park

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In the Front Cover:

Item (54)

Please delete “III_NITRIDE COMPOUND ICE SEMICONDUCTOR LIGHT EMITTING DEV” and insert –III-NITRIDE COMPOUND SEMICONDUCTOR LIGHT EMITTING DEVICE–

Item (22)

Please delete “March 5, 2005” and insert –February 5, 2005–

Item (86)

For the filing or ‘371c’ date, delete “August 1, 2006” and insert –August 3, 2006–

MAILING ADDRESS OF SENDER (Please do not use customer number below):

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UNITED STATES PATENT AND TRADEMARK OFFICE

22 MAY 2009

Commissioner for Patents
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In re Application of
PARK
PCT No.: PCT/KR05/00360 : DECISION ON PETITION
Application No.: 10/597,607 :
Int. Filing Date: 05 February 2005 : UNDER 37 CFR 1.181
Priority Date: 05 February 2004 :
Atty. Docket No.: 20506/0205263-US0 :
For: III-NITRIDE COMPOUND SEMICONDUCTOR :
LIGHT EMITTING DEVICE :
:

This is a decision on applicant's "PETITION UNDER 37 C.F.R. 1.182" filed on 12 May 2009 in the United States Patent and Trademark Office (USPTO). The request is being treated as a petition under 37 CFR 1.181. No petition fee is due.

BACKGROUND

On 05 February 2005, applicant filed international application PCT/KR05/00360 which claimed priority to an earlier application filed 04 February 2004. A copy of the International Application was forwarded to the United States Patent and Trademark Office (USPTO) from the International Bureau (IB) on 18 August 2005. Pursuant to 37 CFR 1.495, the thirty-month period for paying the basic national fee in the United States expired at midnight on 05 August 2006.

On 01 August 2006, applicant filed a transmittal letter for entry into the U.S. National stage which included payment of the U.S. basic national fee.

On 03 August 2006, applicant filed a second transmittal letter for entry into the U.S. National stage accompanied by an executed declaration of the inventor and payment of all remaining fees. Applicant did not include an express request to begin national examination procedures.

On 25 March 2008, applicant was mailed a "Notification of Acceptance" (Form PCT/DO/EO/903) indicating a date of receipt of 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) requirements of 01 August 2006 and a completion date of all 35 U.S.C. 371 requirements of 05 August 2006. The accompanying official filing receipt listed the filing or 371(c) date as 01 August 2006 and the international filing date of international application PCT/KR05/00360 as 05 March 2005.

On 20 February 2009, applicant was mailed a corrected official filing receipt which corrected the international filing date of PCT/KR05/00360 to 05 February 2009.

On 12 May 2009, applicant filed the present petition for a corrected filing receipt and Form PCT/DO/EO/903 seeking a 371 filing date of 03 August 2006 and correcting of the international filing date.

DISCUSSION

As noted above, the international filing date for the underlying international application has been corrected to 05 February 2005 as reflected in the corrected official filing receipt mailed 20 February 2009. As to the 371 (c) date, the best evidence of what was actually received by the Office is a postcard receipt containing a specific itemization of all the items being submitted. See MPEP 503. Here, applicant has provided a copy of the electronic filing receipt from the filing of 03 August 2006 showing the filing of the executed declaration, the last of the 35 U.S.C. 371 requirements, on that date.

CONCLUSION

Applicant's petition under 37 CFR 1.181 is **GRANTED**.

The application has an international filing date of 05 February 2005 under 35 U.S.C. 363 and will be given a date of **03 August 2006** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

The "Notification of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.494 or 1.495" (Form PCT/DO/EO/903) mailed 25 March 2008 is hereby **VACATED**.

This application is being returned to the United States Designated/Elected Office (US/DO/EO) for further processing in accordance with this decision, namely the issuance of a "Notification of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.494 or 1.495" (Form PCT/DO/EO/903) and a corrected filing receipt indicating the correct 371 date as detailed above.



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Office of PCT Legal Administration
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Approved for use through 10/31/02. OMB 0851-0032
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
A collection of information unless it contains a valid OMB control number.

Declaration and Power of Attorney for Patent Application

ପାତାଳପାତାଳ

Korean Language Declaration

아직 지명된 밤영자도서, 본인은 하기 시험을 선언합니다.

As a below named Inventor, I hereby declare that:

본인의 거주지, 우편 주소 및 국적은 본인의 성명 아래에 기재된 것과
동일합니다.

My residence, post office address, and citizenship are as stated next to my name.

본원은 아직 영시된 남한에 대상 유아들 성구하는 주제의 최초 일자 단계
방법학이거나 (이전에 본 이중성이 거체된 경우) 또는 최초 일자 구동
방법학이거나 (이전에 이미 바운드가 거체된 경우) 확인입니다.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the Invention entitled

III-NITRIDE COMPOUND SEMICONDUCTOR LIGHT EMITTING DEVICE

III-NITRIDE COMPOUND SEMICONDUCTOR LIGHT EMITTING DEVICE

다음 날이 쳐그되어 멋지 않으면 큰 빙대의 달색서가 여기에
첫부팅니다.

the specification of which is attached hereto unless the following box is checked:

미합중국 출원번호 또는 PCT 국제 출원번호는
PCT/KR2005/000360 로
5 February 2005 일 약 출원되었고
 일 약 개정되었음
(해당 경우)

was filed on 5 February 2005 as United States Application Number or PCT International Application Number PCT/KR2005/000360 and was amended on (if applicable).

본문은 살기 기운에 의해 수령된 살기 영에서는 높은 차이 청구의 내용을 정사였으며 대체로 몸을 확인합니다.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

본관은 전방 규장 그드안 제77장의 제1.56항에 의거하여 주어 자격에
관한 서로 정보를 공개할 의무를 인정합니다.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

PTO/SB/110 (05-05)

Approved for use through 10/31/02. OMB 0651-0032

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Korean Language Declaration

본인은 외국인 특허 출원(증)이나 합동체의 출원 시 관련 경우에는 미국중국
고드린 제35장의 제7, 9(a)-(d) 항이나 제365(b) 항에 의거하여 또는
미국중국 외의 어느 국가도 한 국가를 지정하는 PCT 국제 출원의 경우에는
제365(a) 항에 의거하여 먼저 출시된 특허 출원의 외국 우선권을
증명하여, 외국인 특허 출원, 발명자 출원 시 또는 우선권이 주장되는
출원의 출원에 개설된 PCT 국제 출원도 또한 미국에 해당하는
제35항으로서 확인하게 됩니다.

I hereby claim foreign priority under Title 35, United States
Code Section 119(a)-(d) or Section 365(b) of any foreign
application(s) for patent or inventor's certificate, or 365 (a) of
any PCT International application which designated at least
one country other than the United States listed below and
have also identified below, by checking the box, any foreign
application for patent or Inventor's certificate, or PCT
International application having a filing date before that of
the application for which priority is claimed.

Priority Not Claimed

우선권 주장 내용

10-2004-0007541 (Number) (번호)	REPUBLIC OF KOREA (Country) (국가)	5 February 2004 (Day/Month/Year Filed) (출원일자 양/월/년)
(Number) (번호)	(Country) (국가)	(Day/Month/Year Filed) (출원일자 양/월/년)
본인은 미국중국 고드린 제35장 제119(e)에 명시된 미국 까지 미국 기술전에 관련된 특권을 요구합니다.		
I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.		
(Application No.) (출원 번호)	(Filing Date) (출원일자)	
(Application No.) (출원 번호)	(Filing Date) (출원일자)	
본인은 미국중국 고드린 제35장의 미국인 출원(증) 관련 제20항에 명시된 미국 까지 또는 미국중국을 지정하는 PCT 국제 출원 관련 제365(c) 항에 명시된 미국 까지 미국 출원의 특권을 요구합니다. 이 출원서에 있는 각 특허 출원의 내용이 미국중국 고드린 제35장 제112 항의 첫번째 항에서 명시된 미국 까지 출원의 미국 또는 PCT 국제 출원에 반영되지 않았으면 본인은 현행 규정 고드린 제37장 제1, 56항에 명시된 미국 까지 혹은 출원당지의 이 출원서의 미국 또는 PCT 국제 출원(증) 미국에 특허 자격에 대한 자료 정보를 증명할 의무를 인정합니다.		
I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.		
(Application No.) (출원 번호)	(Filing Date) (출원일자)	(Status) (patented, pending, abandoned) (현황) (특허 확정, 출원중, 조기)
(Application No.) (출원 번호)	(Filing Date) (출원일자)	(Status) (patented, pending, abandoned) (현황) (특허 확정, 출원중, 조기)
본인의 이는 만도 내에서 여기에 제공된 모든 내용에 사실이고, 제공된 정보나 소신에 모두 사실임을 확인하며, 더니 미국 미국중국 고 드린 제108 항의 제100 항에 명시된 미국 까지 그외의 미국 전술 및 이와 유사한 행위는 범금이나 두고으로 거별 반기나 세금과 같은 형성을 모두 입증 할 수 있고, 여기에 그외의 미국 전술은 미국 출원이나 후에 발급된 특허의 유보성을 위협하거나 이를 신체하면서 여기에 전송함을 선언합니다.		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.		

PTO/SB/110 (05-95)

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Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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Korean Language Declaration

관: 지명된 발명자로서 본인은 이 특허를 수권하고 이와 관련하여
및 상호왕이 요구하는 실무를 적법하게 행사할 권리가 있으신(들)
한 디렉터(들)을 임명합니다. (설명 및 등록번호 기재)

POWER OF ATTORNEY: As a named inventor, I hereby
appoint the following attorney(s) and/or agent(s) to prosecute
this application and transact all business in the Patent and
Trademark Office connected therewith: (list name and
registration number).

Practitioners associated with Customer Number :
07278

국적 수신자

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Joongseo PARK

Inventor's signature Date 2006-7-25

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관련 고보면 주변에 공동 발명자와 이름

Full name of second joint Inventor, if any

두 번째 공동자와의 서명

Second Inventor's signature Date

거주지

Residence

국적

Citizenship

우편 주소

Post Office Address

(세 번째 그리고 이후의 공동 발명자들에 대한 유사한 정보와
그들의 서명을 제공할 것.)

(Supply similar information and signature for third and
subsequent joint inventors.)



UNITED STATES PATENT AND TRADEMARK OFFICE

21302/0205263-US0
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
10/597,607	08/01/2006	900		20506/0205263-US0	4	1

CONFIRMATION NO. 3725

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"OC000000028991283"

Date Mailed: 03/25/2008

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Applicant(s)

Joongseo Park, Kyunggi-do, KOREA, REPUBLIC OF;

Assignment For Published Patent Application

EPIVALLEY CO., LTD, Gyunggi-Do, KOREA, REPUBLIC OF

Power of Attorney: The patent practitioners associated with Customer Number 07278

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/KR05/00360 03/05/2005

Foreign Applications

REPUBLIC OF KOREA 10-2004-0007541 02/05/2004

If Required, Foreign Filing License Granted: 03/20/2008

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 10/597,607**

Projected Publication Date: 06/26/2008

Non-Publication Request: No

Early Publication Request: No

Computer Done
DED Entry Done
Looseleaf Done
Folder Done
Card _____
Letter _____
Foreign Fdg. _____

Title

III-Nitride Compound Semiconductor Light Emitting Device

Preliminary Class

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce Initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier

license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).